

DOCKET FILE COPY ORIGINAL

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APR 29 1998

From: John Scavo <shevytaylor@hotmail.com>
To: A4.A4(SSEGAL)
Date: 4/3/98 9:29am
Subject: Comments to the Chairman

Federal Communications Commission
Office of Secretary

John Scavo (shevytaylor@hotmail.com) writes:

Mr. Kennard:

I want to drop you a quick line, along with comments that I will submit via the appropriate channels in support of RM-9242.

The Telecommunications Act of 1996 has had some positive effects here in the Boston area, however, it has had some damaging results also. I am in full support of allowing low power community radio to exist. The corporate conglomerates have, in some cases, destroyed local radio. I am sure, in part, this is due to their long-distance operations. I have a real problem with no local access, no local programming, and no local outlets for local music and local diversity. Over the past few years, I have heard some excellent low power "illegal" radio stations that offer quality programming, localization and professionalism. Which is more than I can say for the likes of Howard Stearn. I would really appreciate it, if you would support and allow low-power community radio stations to broadcast with a reasonable amount of local coverage. I do not feel that allowing the coverage area to extend out to a block or one or two miles is reasonable either. A 3 -5 mile signal to cover a local town or towns would be sufficient. Personally, I think it is unfair to expect the "big signals" to provide for local community broadcasting. I realize that they have to earn revenue. For example, a Boston mega-power doesn't care about localizing for a Boston suburb like Revere, MA.

With today's technologies, there is really no reason why 2nd and 3rd adjacent channels could not be utilized for this effort. In fact, I consider the allowance of translators to be nothing more than legalized low-power signals. The fact that the FCC laws are written to prevent anyone from applying for a low power FM local station under 100 watts while allowing licensed large broadcasters to apply for low power translators under 100 watts is really a double standard. It is time to allow the American public, not the conglomerates, to have some of the FM spectrum available for broadcasting. It is also time to discontinue the abuse of translators, particularly in areas such as Boston that have stations broadcasting decent signals across a wider bandwidth. For example, in Downtown Boston, the main frequency of 101.7 FM, can also be heard very well on 101.3 FM in the same overlapping area. Why is it, that I as an American cannot have the "legal" authority to run a station on!

101.3 with 3 or 4 watts. The FCC claims interference and adjacent channel noise. Well, I would do a much better job of serving the public interest with different programming on 101.3, for example, than a re-broadcast of a signal at 101.7 that is already there.

I am writing to you asking you to accept my comments for review and to discontinue the abuse of adjacent channels that carry translators. The FCC and NAB have proven themselves wrong when speaking of adjacent channel problems if low power broadcasting is allowed. Because, it already is! Translators are in place. Personally, I feel that the plot is to tie up every adjacent with translators so that if low-power local radio is allowed legally, there will be no frequency left for it. That is not fair. Get these translators off and allow low power (3-5 watt) operators to provide a local flavor to communities. In summary, who are the "pirates" really?

I respect your position and would be more than happy to provide more comment.

respectfully,

John Scavo

Server protocol: HTTP/1.0
Remote host: 209.30.104.155
Remote IP address: 209.30.104.155

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APR 29 1998

Federal Communications Commission
Office of Secretary

DOCKET FILE COPY ORIGINAL

From: <shevytaylor@hotmail.com>
To: A4.A4(SSEGAL)
Date: 4/26/98 8:19am
Subject: Comments to the Chairman

(shevytaylor@hotmail.com) writes:

Chairman Kennard: I am also forwarding hardcopies via Fedral Express. I would ask that my comments be accepted even though they may arrive just slighly after the April 27th deadline. Here is a copy that I am emailing to you. Thank You for your understanding and support.

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Proposal for Creation of the Low Power FM
(LPFM) Broadcast Service

FCC RM-9242

Comments of John Scavo

Due to some personal situations, I may not be able to mail my comments prior to April 27th, 1998. I would ask the Commission to please consider my comments and accept my apologies for submitting this letter should it arrive just short of the deadline date.

I would like to state my comments regarding Petition RM-9242, LPFM. Radio Broadcasting had in the distant past provided an abundance of local programming and provisions for local involvement from the public. It has become so apparent that over the past years, particularly since the Telecommunications Act of recent, that radio stations no longer provide enough stand-alone provisions for local talent, news, music, neighborhood/community affairs, happenings or local high school sports.

The recent trend of multi-station ownership have fueled a media that has quite honestly turned into a mega-billion dollar industry. For the citizen who would like to own and/or operate a small neighborhood micro-broadcasting station, it has become apparent that there is no way to afford to ever realize this dream, given amongst many reasons, the millions of dollars that these properties are now being sold for.

Unless one is part of the NAB, CBS, or some other conglomerate, ownership of an FM/AM property is nearly extinct. I for example, do not have the billions of dollars to purchase these high priced properties. Outside of the prices, these stations have now been allowed to broadcast simulcasts across their properties, eliminate entire staffs, and local programming to satellite programming. More recently, re-broadcast using translators on the FM band. In the Boston and Merrimack areas, stations like WOKQ, WFNX, WGIR, and too many others, are allowed to re-broadcast on second adjacent channels and in most cases, actually carry clean signals across multiple frequencies in the same geographic areas for miles! Furthermore, the Commission has allowed monopolies to actually carry the broadcasting of one area across all of a conglomerates other properties. Hearing programming on a 50,000 watt station atop Mt. Washington, on a translator in Manchester, NH that actually originates from Rochester, NH is ludicrous. It would certainly have served the community's best interests to hear local programming on all three frequencies. This practice is way out of hand, much more than the so-called "pirates" out there. Micro-broadcasters who have been around for a while tend to love broadcasting and just want a property to broadcast to a neighborhood and/or community legally. It is very discouraging to deal with the fact that micro-broadcasting is not allowed while a licensed station can carry the exact same program over multiple properties, therefore, not serving it's multiple communities.

I honestly feel that the FCC is contributing to the lack of community voices and talent by not allowing community micro-broadcasting. Rules appear to be servicing the major operations. For example, presently an individual cannot get a license on FM under 100 watts, however, a licensed radio station is allowed to become licensed to transmit under 100 watts using translators. This is wrong!. The fact that an area can receive one station on two frequencies in an area is absurd. I would much rather see those translator frequencies put to use by allowing

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micro-broadcasters to broadcast community localized programming under 100 watts.

I feel that petition RM-9242 addresses community broadcasting needs. Therefore, I support strongly the initiative of LPFM as stated in RM-9242. LPFM stations should be allowed adequate minimal power levels to broadcast to an entire community without drifting or noise. To be a successful community/neighborhood station, I would expect the Commission to allow at least the same distances and signal grades that it has allowed the translators. As far as the translators, they should become secondary to local micro-broadcasters and eventually be eliminated. The fact that I can receive a translator up to 15 miles away does not make sense to me at all.

I urge the Commission to allow micro-broadcasters of the past and present such as Radio Free Allston, Radio Free Berkley, EB101, and many others to exist and provide local quality programming. I would also ask that you take the petition seriously. Useless 1 watt/1 mile approvals will inhibit coverage of a community.

In summary, please allow the licensing of micro-broadcasters and provide simplified methods and fees to "open the door" for us broadcast hobbyists and lovers of radio, community affairs, and citizens.

Server protocol: HTTP/1.0
Remote host: 209.30.104.106
Remote IP address: 209.30.104.106

DOCKET FILE COPY ORIGINAL

RM-9208
9242
RECEIVED
APR 29 1998

From: Anita Wallgren
To: FCCMAIL.SMTPNLM("books@crabsystem.win.net")
Date: 4/29/98 10:25am
Subject: LPFM stations -Reply

Federal Communications Commission
Office of Secretary

Dear Ms. Smith:

I have forwarded your comment to the Secretary of the FCC for inclusion in the record. Thanks for writing.

>>> "A. Smith" <books@crabsystem.win.net> 04/29/98 10:11pm >>>

Please do what you can to lift restrictions on low-powered FM sites. I've worked for commercial radio for years, and would like to start a low-powered community station. Please keep me updated on your progress.

Thank You!
April Smith
425 N. Atlantic ST.
Boise, ID 83706

CC: msalas

RM-9208
9242

From: "Joseph D'Alessandro" <jdman@magpage.com>
To: A7.A7(SNESS)
Date: 4/28/98 2:34pm
Subject: LPFM RADIO

RECEIVED

APR 29 1998

**Federal Communications Commission
Office of Secretary**

WHY DONT YOU HELP THESE PEOPLE HELP THE POOR

MR.D'ALESSANDRO
Black Liberation Radio

For six years, Black Liberation Radio, a small unlicensed pirate radio station in Decatur, Illinois has courageously exposed police brutality, official misconduct, and government attacks on the black community. Broadcasting at 99.7 FM on a 15-watt transmitter from their home, Napoleon Williams, Mildred Jones, and their supporters have waged a campaign to challenge the Department of Children and Family Services (DCFS) for their role in destroying and tearing apart black families, and specifically for the abduction and relocation of their own children, Unique Dream and Atrue Dream. BLR has also played an important role in building ties between their community and the largely white work force at the local Caterpillar Tractor plant during the bitter strikes there in recent years. BLR has consistently refused as a matter of principle to ask for a license from the Federal Communications Commission, arguing that they need no one's permission to exercise their freedom of speech.

The authorities have responded to this bold stand with a sustained series of police harassment and raids. Williams and Jones have faced trumped-up charges, fines, prison time, seized equipment, and have even lost custody of their children. Yet they refuse to be silenced.

This Black Liberation Radio Solidarity Page is intended to spread news, information, and generate support for BLR. It has been assembled by an ad hoc group of activists from Chicago who feel that the attempts to silence BLR are a grave injustice and must be fought. Their situation is analogous to the current attempts to censor and control the internet, and are representative of the concurrent attacks on poor and black communities today on a variety of levels.

BLR Information, News, Solidarity

***Background and History**

Here you will find information on Decatur and BLR, as well as timelines and general background pieces. ***Updates**

A compilation of updates sent out by BLR supporters regarding the raids and repression, as well as news pieces from independent sources. You'll especially want to see the latest Chicago Ink piece below. ***Mainstream News** What the capitalist press has to say regarding BLR. ***Solidarity!**

How YOU can support BLR, and how you can connect to groups that already are doing support work. ***Other Links**

Connections to Pirate Radio and many other sites that are relevant to BLR.

*Audio

Hear BLR speak out!

Rattling Cages in the Land of Lincoln:

Decatur's Black Liberation Radio Draws Fire From Local Law Enforcement

By Tracy "Jake" Siska & Dharma Pfeiffer

May 29, 1997

In the heart of the Land of Lincoln, a radio station that answers the phone simply as "Liberation" sends a signal that ripples out like a pebble in a pond. It purls over the town of Decatur, past the Macon County jail and the Decatur Police Department, to the County Court building and the local State's Attorney's office on Water Street.

Black Liberation Radio is an unusual spot on the dial by any measure. With only fifteen watts of broadcasting power, BLR is too small to be licensed by the FCC. It airs from Napoleon Williams' and Mildred Jones's living room on equipment roughly worth that of a modest home stereo system. That's a far cry from a licensed station with start-up costs that open at \$100,000 and can reach into the millions in major markets. BLR's message is militant, populist -- and openly disliked by the Peoria state's attorney and local law enforcement. The station has consistently railed against a host of local injustices, from police brutality and racism to the strikebreaking tactics of management at the local Staley and Bridgestone/Firestone plants.

BLR's unique brand of micro radio has cost them. Williams, who was just bonded out of the County jail on three state charges of felony eavesdropping, reflects on his legal troubles.

"I feel like I've gone from maximum security to minimum security," he says.

This most recent arrest is the latest in a long pattern of intimidation for BLR, a pattern that smacks of tactics more commonly found in third world dictatorships -- or in the Jim Crow south. The harassment raises serious questions about the right to circulate a militant and critical voice of opposition in a milieu -- radio -- that is increasingly dominated by corporate conglomerates with conservative, and even reactionary, political agendas.

Williams was first arrested only ten days after BLR began broadcasting in 1991. The couple say that, over the years, they've been the victims of repeated raids and harassment, unconfirmed allegations, uncooperative and unsympathetic public defenders, incompetent Department of Children and Family Services case workers, and a biased judiciary. The harassment has hurt them economically and emotionally: currently, two of their children are in state custody.

Decatur residents know that if you call BLR, your call will be broadcast;

their listing in the phone book says "All phone calls recorded". For years, BLR has spoken with officials from the State's Attorney's office over the air, but until now no-one had been prosecuted for eavesdropping. That may account for State's Attorney Lawrence Fichter's reluctance to bring eavesdropping charges directly through his office; instead, the case was handed over to the Illinois Attorney General.

Though felony eavesdropping is a class D felony, the least serious felony under Illinois law, the Attorney General's office took the unusual step of launching the Decatur Police on a three hour raid of BLR last month. On May 10, the police cordoned off a two block radius around the house, cut BLR's power, batter-rammed the front door, and entered in full riot gear with gas masks and automatic weapons.

This current round of legal woes stems from three phone calls that officials say Williams recorded and played over BLR without the consent of other parties to the conversation. All three conversations were with DCFS employees and dealt with their children's cases. "Can you give me one reason why I don't have my children?" Williams asked David Chesko, the DCFS caseworker assigned to their children, Atrue Dream and Unique Dream. Chesko replied, "No I can't give you a reason."

Williams believes the charges were concocted to seize DCFS reports and tapes of conversations with DCFS officials. Jones may also have been arrested in an attempt to seize the couple's baby boy Miracle: during the May 10 raid, a DCFS official waited outside to take the child.

"The poor people don't have a voice in this town," Jones explains, "If we don't speak out, who will? This is really the people's station. We're coming from the hurt and pain of black people, but anybody who tunes in who has a desire to be free will be inspired. We're motivated by bringing people together, not by how many more ad dollars we got this month compared to last month...and anybody can call and speak their minds. If they see the cops beating somebody up, they can call in right while it's happening and know they'll be live on the air. They can get people out there to see what's going on."

On the surface, BLR's story reads like any other case of small-town, low-tech lynching. But the potency of racial stereotypes -- black man as dangerous predator, poor black woman as unfit mother -- carry enough currency to undercut the state-wide or national support that is often necessary to enforce civility on hostile local officials. While support has trickled in from micro radio groups as far away as Australia, Jones says she understands why the town's only black lawyer would want to distance herself from people who challenge the powers that be.

"We've contacted Oprah, Sally-Jesse, Geraldo -- they don't want to hear about us. Every lawyer you can name, they know about us." Racism, she says, is only part of the problem. "They don't want people to know how easy it is to do this."

"If we were just another jukebox on the dial, we probably wouldn't receive this kind of harassment," says Williams. "When you have people calling in talking about a speed trap, or city council, or this corrupt judicial system, when you get on them and say 'Why are you crazy for Nike sneakers? Nike sneakers are put together by slave labor', now they want to stop you. I am the descendant of slaves. I see Black Liberation Radio as a New African drum used to tell the truth. Slaves were killed for drumming, because their communicating was a threat to the slave master."

Williams and Jones say they look forward to the day when people learn to create 'pirate' television as well as micro radio, which is spreading globally as an alternative to mainstream media.

"This is the Land of Lincoln," Williams says. "A lot of people don't know that Lincoln said he didn't care if the slaves were ever freed. They're so filled with the myths they've been told. A few miles down the river a man named Elijah Lovejoy started up a newspaper to tell people the truth about slavery. He was hung. His printing press went into the Mississippi river. We feel we're only a continuation of the struggle."

printed in Chicago Ink, 5706 S. University Ave., Chicago, IL 60637, e-mail: jkw3@midway.uchicago.edu

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last updated...August 19, 1997

From: "Walker, Doug" <dcwalker@asbury.edu>
To: "fccinfo@fcc.gov" <fccinfo@fcc.gov>
Date: 4/27/98 3:26pm
Subject: Rule-making for low-power FM radio service (RM-9242)

RM-9242
RECEIVED

APR 29 1998

**Federal Communications Commission
Office of Secretary**

I would like to submit the following comments regarding rule-making to create low-power FM radio service (RM-9242):

I would like to speak out in favor of the rule-making to allow low-power radio service. There are four primary reasons why I believe such a step would be advantageous to small communities of license, such as the one where our small college (campus-only) station now operates: 1)it would create a service for this community which presently has no station focused on addressing its needs, 2)it would allow the community's needs to be addressed without the extra cost and unnecessary confusion of a stronger signal (that would have little value to the larger metropolitan area just 15 miles away), 3)it would allow an FM signal to be used for better quality than the AM carrier current systems now used by this and many other colleges, and 4) it would reinforce the FCC's original mandate to ensure that the radio waves belong to the people of this nation. By allowing low-power stations, citizens would be allowed to hear a greater diversity of voices than is now available because of the high costs of obtaining a radio license.

Let me explain the rationale behind this points. We currently run a small (campus-only) radio station for our college. Our budget has been limited and so we have not been able to afford the fees necessary to apply for one of the limited frequencies occasionally available in this area. The town in which we are located has no radio station serving it (NOTE: there is a station licensed here though operated in a larger nearby town, but that station carries no news and very little localized information of any value to the local town).

In addition, we really have no need to compete against the larger stations in the Lexington area and so therefore do NOT need a 100 watt or larger power. Even if we were to operate at 5 or 10 watts we could provide a service to this town that they presently do not have. They could hear immediately about city council meetings, disasters and other important public communication. It would provide a great learning ground for students and would provide a service to the local government and community.

A democracy functions best when it allows both minority and majority voices to be heard. Right now many people in our town know very little about the local government since there is no city newspaper and no radio station that addresses local news issues. A low-power FM radio station license would allow a student-run station to provide such a voice for people in the community.

For these reasons, I enthusiastically support your consideration of allowing increased low power FM applications. Thank you.

Doug Walker
Media Communication
Asbury College
(606) 858-3511, ext. 2336

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TRUMPER
COMMUNICATIONS
INC.

DOCKET FILE COPY ORIGINAL

RM-9242

RECEIVED

APR 29 1998

Federal Communications Commission
Office of Secretary

Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

VIA FACSIMILE

Re: FCC File nos. RM-9208 and RM-9242

Dear Sir or Madam:

We are writing to you to express our dismay that the FCC is considering enfranchising low power "pirate" radio broadcasters. Our most worrisome concern is the potential interference that amateur broadcasters may cause to the quality of our stations' signals. Our Company has invested heavily in state of the art equipment in order to bring our customers, the listeners, unequalled audio quality. Our livelihood depends on the uninterrupted delivery of quality information and entertainment. We not only compete against other radio broadcasters but we compete against other mediums. It is in our interest as well as the interest of our listeners not to jeopardize signal quality.

As broadcasters, we sometimes chafe at FCC restrictions and directives, but nobody can say that the Commission has not brought order to the radio spectrum that benefits everyone. In the 1930's, a Los Angeles AM station owned by the Four Square Gospel Church drifted up and down the radio spectrum in search of listeners. We chuckle when we hear this story retold, but until now we never contemplated the effect on the competing Los Angeles broadcasters. The prospect of sharing radio spectrum with amateur broadcasters certainly takes the humor out of this story.

In reading news stories on pirate radio stations, proponents justify low power radio stations by referring to the first amendment right of free speech, recent radio industry consolidation squelching community expression and the lack of programming diversity. We strongly disagree with these assertions. Our stations continually identify community problems and needs. We air programs by community leaders to discuss problems. Moreover, our stations support beneficial community and minority causes with promotional advertisement and in some instances financial support. At KISN-FM (one of our Salt Lake City stations) we established KISN Cares for Kids, a non-profit trust which raises money and interest in worthy children's causes, i.e., medical bills, children's charitable organizations, etc.

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FCC

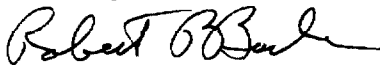
-2-

April 27, 1998

As anyone with some industry knowledge knows, radio industry consolidation is a result of Docket 80-90, which allowed a significant increase in the number of station signals, and resulted in severely damaging the industry. Consolidation permits certain economies of scale, greater access to public capital markets and, generally, a healthier business climate for radio. In addition, radio clusters let group owners offer wider choice of formats to listeners. Before market clusters were allowed, there was an economic necessity to pursue popular formats. Now, group owners can (and do) pursue more niche formats than before, delivering greater choice to our listeners.

We ask you to consider all of these issues as you form your opinion on FCC File nos. RM-9208 and RM-9242.

Sincerely,



Robert P. Burke
Vice President, Corporate Finance

RPB:aeg